

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CIVIL ACTION NO.: 5:22-cv-00068-BO

YOLANDA IRVING, individually and as the )  
natural parent and guardian of J.I., JUWAN )  
HARRINGTON, CYDNEEA HARRINGTON, )  
KENYA WALTON, individually and as the )  
natural parent and guardian of R.W., ZIYEL )  
WHITLEY, DYAMOND WHITLEY, )  
KAMISHA WHITLEY, NANETTA GRANT as )  
the natural parent and guardian of Z.G., and )  
EMANCIPATE NC., INC. )

Plaintiffs,

vs.

THE CITY OF RALEIGH, Officer OMAR I. )  
ABDULLAH, Sergeant WILLIAM ROLFE, )  
Officer RISHAR PIERRE MONROE, Officer )  
JULIEN DAVID RATTELADE, and Officer )  
MEGHAN CAROLINE GAY, JOHN and JANE )  
DOE Officers 1-10, in their individual capacities, )  
Chief of Police ESTELLA PATTERSON and )  
City Manager MARCHELL ADAMS-DAVID, )  
in their official capacities. )

Defendants.

**MOTION TO EXTEND TIME TO FILE  
ANSWER TO PLAINTIFFS' AMENDED  
COMPLAINT BY RISHAR PIERRE  
MONROE, JULIEN DAVID  
RATTELADE, AND MEGHAN  
CAROLINE GAY**

NOW COME Defendants, Rishar Pierre Monroe (hereafter “Defendant” or “Defendant Monroe”), Julien David Rattelade (hereafter “Defendant” or “Defendant Rattelade”), and Meghan Caroline Gay (hereafter “Defendant” or “Defendant Gay”) (and collectively “these Defendants”), by and through their undersigned counsel and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Civil Rule 6.1, and hereby move for a thirty (30) day extension of time to plead in response to Plaintiff’s Amended Complaint [DE 41]. In support of this motion, the Defendants show unto the Court the following:

1. Plaintiffs, except for Emancipate NC, Inc., filed their original Complaint [DE 2] on February 22, 2022.

2. Defendants Monroe, Rattelade and Gay waived service of summons on March 1, 2022 and Plaintiffs filed said Waivers (DE 11, DE 12 and DE 13) on March 11, 2022.

3. Defendants Monroe, Rattelade and Gay filed a Partial Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) [DE 34] for failure to state a claim upon which relief can be granted on April 29, 2022.

4. Plaintiffs filed their Amended Complaint on May 16, 2022 [DE 41], adding additional parties to this action: Plaintiff Emancipate NC, Inc. and Defendants Chief of Police Estella Patterson and City Manager Marchell Adams-David.

5. Plaintiffs have also made substantive changes to the original Complaint that include allegations against Defendants Monroe, Rattelade and Gay.

6. Defendants Monroe, Rattelade and Gay require additional time to prepare their responses to Plaintiffs' Amended Complaint. Accordingly, these Defendants respectfully request a thirty (30) day extension to the current deadline, which would allow these Defendants through and including June 30, 2022, to file an Answer or otherwise plead in response to Plaintiffs' Amended Complaint.

7. This Motion is being filed in good faith and not for the purpose of delaying this action.

8. This matter has not been set for trial. As such, granting this motion will not interfere with a scheduled trial date.

9. Pursuant to Local Civil Rule 6.1, prior to filing this motion, counsel for these Defendants consulted with counsel for Plaintiffs' regarding Plaintiffs' position on this motion. Plaintiffs' counsel has consented to this motion.

10. Defendants Monroe, Rattelade and Gay respectfully submit that good cause exists for granting this motion, based upon the above-described circumstances.

WHEREFORE, Defendants Rishar Pierre Monroe, Julien David Rattelade, and Meghan Caroline Gay move the Court for a thirty (30) day extension of time to file their Answers or otherwise plead in response to Plaintiffs' Amended Complaint, until and including Thursday, June 30, 2022, as set forth in the proposed order submitted with this motion.

This the 26<sup>th</sup> day of May, 2022.

By: /s/ Samuel G. Thompson, Jr.  
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natural parent and guardian of JALEN IRVING, )  
JUWAN HARRINGTON, CYDNEEA )  
HARRINGTON, KENYA WALTON, )  
individually and as the natural parent and )  
guardian of ROBERT WHITLEY, ZIYEL )  
WHITLEY, DYAMOND WHITLEY, )  
KAMISHA WHITLEY, and NANETTA )  
GRANT as the natural parent and guardian of )  
ZIQUIS GRANT, )

Plaintiffs, )

vs. )

THE CITY OF RALEIGH, Officer OMAR I. )  
ABDULLAH, Sergeant WILLIAM ROLFE, )  
Officer RISHAR PIERRE MONROE, Officer )  
JULIEN DAVID RATTELADE, and Officer )  
MEGHAN CAROLINA GAY, and JOHN and )  
JANE DOE Officers 1-10, in their individual )  
capacities, )

Defendants. )

**CERTIFICATE OF SERVICE**

I hereby certify that on May 26, 2022, I electronically filed the foregoing **MOTION TO EXTEND TIME TO FILE ANSWER TO PLAINTIFFS' AMENDED COMPLAINT BY RISHAR PIERRE MONROE, JULIEN DAVID RATTELADE, AND MEGHAN CAROLINE GAY** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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I hereby certify that I have mailed the document to the following non CM/ECF participants:

Respectfully submitted,

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Officer Meghan Caroline Gay*